

REMARKS

Applicant wishes to thank the Examiner for the initialed Form PTO-1449 which the Examiner faxed to the undersigned attorney on January 5, 2004.

Applicant respectfully traverses the rejection of claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Kalbermatter '978 in view of Teres '548, and the rejection of claim 6 under 35 U.S.C. § 103(a) as being unpatentable (obvious) over Kalbermatter in view of Teres and further in view of Born '835.

More particularly, Applicant respectfully submits that no combination of the disclosures of the three applied references would have suggested, or rendered obvious, at the time of Applicant's claimed invention the subject matter of each of claims 1-6, whereby Applicant respectfully submits that the Examiner has not made out a *prima facie* case of obviousness.

Kalbermatter 5,508,978 discloses a portable wireless telephone in the shape of a watch comprising a case containing, in particular, a dial surmounted by two hands for displaying the current time in a first operating mode. The case is conventionally closed by a crystal through which the dial and the hands can be observed.

The Figure 4 embodiment of the telephone watch comprises a series of indices 13 marked on the periphery of the case and, more specifically, on the bezel. The bezel is the ring which is snapped onto the case to hold the crystal. Nothing in the specification of Kalbermatter '978 refers to a crystal having two thicknesses, i.e., Applicant's claimed "thick" and "thinned" zones. The crystal shown in Figure 4 is a conventional crystal which has only a single thickness. The representation of the crystal in Figure 4 stops at the circular double line also delimiting the dial

and does not comprise Applicant's claimed "a thick zone", and "a thinned zone" facing which a keyboard is arranged. The so-called "thick" zone 5 of the crystal, mentioned by the Examiner on pages 2 and 3 of the Office Action, refers to the minute hand of the telephone watch (see col. 3, line 34 of Kalbermatter).

Moreover, Kalbermatter's indices 13 are used in combination with the hands of the watch to select digits of a phone number to be dialed, the dialing procedure involving only the rotation of crown 10, to place the hand facing a selected digit, and the application of pressure on the crown to confirm the selected digit, and so on, as described in col. 3, line 54 to col. 4, line 3. The set of indices, therefore, **cannot** be considered as a "keyboard", as a keyboard has keys that can be actuated or activated to operate a device.

Consequently, Kalbermatter '978 fails to disclose or even suggest Applicant's claimed watch "crystal including a thick zone and a thinned zone, the keyboard being deposited in [facing] the thinned zone".

Teres '498 describes a wristwatch in which a capacitive-type keyboard is arranged directly on the crystal. The inner face of the crystal carries a set of electrodes connected to a processing circuit. Teres, however, also fails to disclose or suggest the Applicant's claimed structure of two thickness of the crystal, with the electrodes (sensors, keyboard), being "deposited in the thinned zone".

Thus, because of the above-described deficiencies in the disclosure of Kalbermatter and Teres, Applicant respectfully submits that these two references, together, do not describe or suggest all of the elements of the rejected claims 1-5, whereby the Examiner has not made out a

prima facie case of obviousness of the subject matter of each of these claims. Furthermore, as is clear from the above explanations of the disclosures of Kalbermatter and Teres, even if, for some reason, these disclosures were combined, there would not be produced the subject matter of any of claims 1-5, or subject matter which would have rendered claims 1-5 obvious at the time the claimed invention was made.

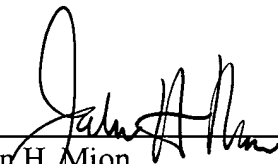
As for dependent claim 6 (6/1), Applicant respectfully submits that claim 6 is patentable (non-obvious) at least for the same reason that its parent claim 1 is patentable. Applicant agrees with the Examiner that the combination of Kalbermatter and Teres does not describe or even suggest Applicant's claimed "inner reinforcement...". However, even if Borns' structure of "a bezel 7 including an inner reinforcement extending under the thinned zone of the crystal", (to quote the Examiner) were combined with Kalbermatter and Teres, it is clear, because of the above-noted deficiencies in the disclosures of Kalbermatter and Teres, that there would not be produced the subject matter of Applicant's claim 6, notwithstanding the Examiner's assertion to the contrary.

Therefore, Applicant respectfully requests the Examiner to reconsider and withdraw the two rejections under 35 U.S.C. § 103(a) and to find the application to be in condition for allowance with all of claims 1-6; however, if for any reason the Examiner feels that the application is now is not in condition for allowance, the Examiner is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 09/767,722

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,



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